

**Issued by the**  
**UNITED STATES DISTRICT COURT**  
 Northern District of Illinois - Eastern Division

WMH Tool Group, Inc, Plaintiff

**SUBPOENA IN A CIVIL CASE**

V.

Woodstock International, Inc., and Grizzly Industrial, Inc., Defendants Case Number:<sup>1</sup> 1:07-cv-03885

TO: Edward E. Clair  
 Fitch Even Tabin & Flannery  
 120 South LaSalle Street, Suite 1600  
 Chicago, Illinois 60603-3406

YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME
Husch Blackwell Sanders Welsh & Katz , 120 S. Riverside Plaza, 22nd Fl., Chicago, IL 60606	November 20, 2008, 10:00 a.m.

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

See Schedule A

PLACE	DATE AND TIME
Husch Blackwell Sanders Welsh & Katz , 120 S. Riverside Plaza, 22nd Fl., Chicago, IL 60606	November 14, 2008, 10:00 a.m.

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rule of Civil Procedure 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
	November 7, 2008

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER  
 Joseph F. Schmidt, Husch Blackwell Sanders Welsh & Katz, 120 S. Riverside Plaza, 22nd Fl., Chicago, Illinois, 60606; 312/655-1500

(See Federal Rule of Civil Procedure 45 (c), (d), and (e), on next page)

<sup>1</sup> If action is pending in district other than district of issuance, state district under case number.

**SCHEDULE A**

**DOCUMENT REQUESTS**

1. All documents which relate and/or refer to the prosecution of application Serial No. 78/222,453 (Reg. No. 2,893,180).
2. All correspondence between Ed Clair and all other persons which relates and/or refers the prosecution of application Serial No. 78/222,453 (Reg. No. 2,893,180).
3. All correspondence between Ed Clair and employees of plaintiff WMH which relates and/or refers to the prosecution of application Serial No. 78/222,453 (Reg. No. 2,893,180).
4. All correspondence between any attorney or employee of the firm Fitch Even Tabin & Flannery and any person which relates and/or refers to the prosecution of application Serial No. 78/222,453 (Reg. No. 2,893,180).
5. The entire contents of Fitch Even Tabin & Flannery's file relating to the filing and prosecution of WMH's U.S. Reg. No. 2,893,180.
6. All handwritten notes of Ed Clair and memos prepared by or on behalf of Ed Clair which refer and/or relate to the prosecution of application Serial No. 78/222,453 (Reg. No. 2,893,180).
7. All documents reviewed by Ed Clair in connection with the prosecution of application Serial No. 78/222,453 (Reg. No. 2,893,180), including, but not limited to, trade publications, catalogs, advertisements.
8. All final and draft communications to or from Edward Clair or any other attorneys currently or formally employed by Fitch Even Tabin & Flannery and Robert S. Romano which relate and/or refer to Trademark Application Serial No. 78/222,453, U.S. Reg. No. 2,893,180.
9. All internal memoranda to or from Edward Clair or any other attorneys currently or formerly employed by Fitch Even Tabin & Flannery which relate and/or refer to the prosecution of application Serial No. 78/222,453 (Reg. No. 2,893,180).
10. All final and draft communications, including internal memoranda, to or from any personnel currently or formerly employed by WMH which relate and/or refer to the date of first use for the goods in the '180 Reg.
11. All final and draft communications including internal memoranda, prepared by or received by Edward Clair or any other attorneys currently or formerly employed by Fitch

Even Tabin & Flannery which relate and/or refer to white woodworking or metal working machinery manufactured or distributed by companies other than WMH.

12. All final and draft communications including internal memoranda to or from Edward Clair or any other attorneys currently or formerly employed by Fitch Even Tabin & Flannery which relate and/or refer to the identification or description of goods in connection with the '180 Reg.
13. All ESI in the possession or control of Ed Clair which refer and/or relate to the prosecution of application Serial No. 78/222,453 (Reg. No. 2,893,180).
14. All emails sent by or on behalf of Ed Clair and/or received by Ed Clair which refer and/or relate to the prosecution of application Serial No. 78/222,453 (Reg. No. 2,893,180).